

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 713 - SB 866

April 13, 2015

SUMMARY OF BILL: Requires all state, county, and municipal law enforcement agencies to collect and submit demographic data from the law enforcement officers employed by the agency concerning any person who is stopped by the officer. This data must include, but not be limited to, information on the race of any person who is subject to: a traffic stop, a halt at a roadblock, a search, a stop and frisk, or an arrest. Requires the law enforcement agency to submit this data to the Tennessee Bureau of Investigation.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures \$51,000/One-Time
\$12,900/Recurring**

**Increase Local Expenditures – Exceeds \$100,000/One-Time*
Exceeds \$50,000/Recurring***

Assumptions:

- The Tennessee Bureau of Investigation (TBI) reports that as a result of the bill, the Bureau will incur a one-time expense due to vendor charges to capture relevant information from traffic stops, DUI stops, as well as stop and frisks. The one-time increase in state expenditures is estimated to be \$26,000.
- The Department of Safety (DOS) reports that as a result of the bill, the Department will have to develop test and deliver an application through DOS' current system to capture the relevant information and engage local agency vendors to ensure accuracy and completion. The one-time increase in state expenditures is estimated to be \$25,000.
- The total one-time increase in state expenditures is estimated to be \$51,000 (\$26,000 + \$25,000).
- DOS further reports that there will be a recurring cost to the agency for annual maintenance and additional memory. Based on the departmental information, the recurring increase in state expenditures is estimated to be \$12,870.
- The County Technical Assistance Service (CTAS) reports that this bill could result in most local governments having to update or change their records management systems. Given that state law enforcement agencies will have to update systems, it is presumed that some local government law enforcement agencies will be required to do the same. A precise cost cannot be determined, but the mandatory one-time increase in local expenditures is reasonably estimated to exceed \$100,000 statewide.

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- In addition, it is presumed that local law enforcement agencies will have routine maintenance and will need to expand storage limits for electronic data captured causing additional recurring expenditures. The mandatory recurring increase in local expenditures is estimated to exceed \$50,000 statewide.

**Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "Jeffrey L. Spalding". The signature is written in a cursive, flowing style.

Jeffrey L. Spalding, Executive Director

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